

WS-20794A-11-0140

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ARIZONA CORPORATION COMMISSION

UTILITY COMPLAINT FORM
RECEIVEDInvestigator: Carmen MadridPhone: 6 2011 DEC -8 P 12:54Fax: ---Priority: Respond Within Five DaysOpinion No. 2011 101091Complaint Description: 08E Rate Cases Items - In Favor
 N/A Not ApplicableDate: 12/7/2011
Arizona Corporation Commission

DOCKETED

DEC - 8 2011

First:Last:Complaint By: **Judy****Jerrells**Account Name: Judy JerrellsHome:

DOCKETED BY

Street:Work: (000) 000-0000City:CBR:State: AZ Zip: 00000is: CellularUtility Company. **DII-Emerald Springs, LLC**Division: Sewer/WaterContact Name:Contact Phone: (000) 000-0000Nature of Complaint:

We have been homeowners in Emerald Springs for over 10 years. We have experienced the enormous challenges which have plagued our small community due to corrupt developers, bankruptcies, lack of knowledge by homeowners and HOA Board members regarding community issues and the fact we are located in a small/low income county. From the first developer who never properly established Emerald Springs with the proper utilities or access, to the fact our CC&R's are lacking in clarity relating to many issues, the issues seem to be never ending. When DII created sewer service for our community it was due to an extreme emergency for the few permanent homeowners. The service provider (Doyle Thompson) was not only illegal, but holding Emerald Springs sewer service and road access 'hostage' in exchange for access to our private boat ramp and river access. DII went to extreme lengths to get temporary permits and equipment for the community before any construction for the newly acquired lots had begun. Mr. Melendez provided quality sewer service to the community in a short period of time. Our community is very small and the amount of sewer processed is not only minimal at times, but very inconsistent. Mr. Melendez has been communicating to the HOA for several months (if not years) how difficult it has been to perform the proper testing to ADEQ standards which are for much larger producing communities. The homeowners became despondent over the amount of time it was taking DII to meet all of ADEQ requirements and proceeded to contact ACC to demand DII get the proper documents and permits to become a complete utility. During all of these months, DII kept the rates fairly consistent and never interrupted service or the quality of the service. His maintenance service was always prompt to address any issues with the sewer plant as well as the lift station. The sewer lift station which is located in Emerald Springs to transport the sewer to DII's equipment was a product of the original developer and never properly incorporated into the process. This lift station is located on the declarants property which has never been sold or developed, but is not a 'stand alone' lot. The original concept of this development in 1997 and the permits which Arizona has granted for its continued existence, has been the origin of many of the problems related to the sewer overall. DII has gone to extreme lengths to support Emerald Springs with sewer service and should be approved as the utility provider for the community. DII should continue to work with the HOA to improve the lift station status to an appropriate level and location. ACC should insure the homeowners understand the ramifications of DII becoming a utility under ACC regulations where Mr. Melendez is no longer setting the rates.

ARIZONA CORPORATION COMMISSION

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Sincerely,
Judy Jerrells
End of Complaint

Utilities' Response:

Investigator's Comments and Disposition:

12/7/11 Opinion noted and filed in Docket No. WS-20794A-11-0140. closed
End of Comments

Date Completed: 12/7/2011

Opinion No. 2011 - 101091
